

REMARKS/ARGUMENTS

In the Office Action, the Examiner has rejected both of the pending independent claims in the patent application, i.e., claims 16 and 31, based on Sangeeta. As will be further discussed below, Applicants respectfully submit that Sangeeta does not anticipate or render obvious the subject matter of claims 16 and 31 for at least the reason that Sangeeta does not disclose or suggest the claimed feature of coating the aluminizing paste or the aluminizing powder with a covering powder.

As discussed above, Applicants respectfully submit that Sangeeta does not disclose such a covering powder. In the Office Action, particularly at the bottom of page 3, the Examiner broadly argues that Sangeeta's interpreted "covering powder" is the aluminizing paste itself. The Examiner argues that the final layer of the aluminizing paste is a "covering powder" which completely covers the previously deposited layers of the aluminizing paste.

Applicants respectfully submit that Applicants' covering powder, which is separately claimed from the aluminizing paste, cannot be disclosed by the aluminizing paste of Sangeeta. Applicants claim an aluminizing paste **and** a covering powder; the aluminizing paste is coated with the covering powder. Thus, Applicants respectfully submit that Sangeeta's aluminizing paste, even if it is deposited in several layers on top of each other in several applications, cannot disclose both an aluminizing paste **and** a covering powder. All that Sangeeta discloses is an aluminizing paste that is applied in several layers. Thus, Applicants respectfully traverse the Examiner's argument that Sangeeta discloses both an aluminizing paste and a covering powder.

Regarding the Examiner's "aside", Applicants respectfully submit that Applicants' claimed covering powder does not perform the same function as Sangeeta's variation in the vapor aluminizing process that utilizes a mixture or pack containing the aluminum source, filler material, and a halide energizer. In Applicants' invention, aluminizing paste 15 is covered with the covering powder 16 with respect to the environment so that the aluminizing material can diffuse out of the paste and into the component but does not evaporate from the surface.

This ensures that no vaporizable material is deposited at an unwanted location and the aluminizing remains locally limited. Applicants respectfully submit that all that Sangeeta discloses at the cite provided by the Examiner, i.e., para. 0042, is that in this variation of the vapor aluminiding process, a pack-aluminiding process is used such that reactions within a mixture or pack containing the aluminum source, filler material, and a halide energizer yield an aluminum-rich vapor “which condenses onto the substrate surface.” Sangeeta provides no disclosure regarding suppressing evaporation so that unintended aluminization at another location is possible.

Thus, Applicants respectfully submit that Applicants’ claimed covering powder and Sangeeta’s variation including a pack-aluminiding process, contrary to the Examiner’s argument that they “appear” to be doing the same thing, have completely different purposes. Further, Applicants’ disclosed covering powder 16 is not merely “alumina mixed with an activator”, as argued by the Examiner. It is Al_2O_3 mixed with an activator. The activator merely compensates for a possible loss of activator during the aluminizing process, and thus, does not render Applicants’ claimed covering powder as “doing the same thing” as Sangeeta’s aluminum-rich vapor which condenses onto the substrate surface.

Therefore, Applicants respectfully submit that independent claims 16 and 31 are allowable over Sangeeta for at least these reasons.

Further with respect to independent claim 31, claim 31 further claims the feature where the aluminizing paste or the aluminizing powder and the covering powder aluminize and coat the area, respectively, by using gravity. In the Office Action, the Examiner acknowledges that Sangeeta provides no such disclosure, however, argues that it would have been obvious to perform Sangeeta’s process “under gravity’s influence” “in order to avoid the high costs of not using gravity.” However, Applicants respectfully submit that even if it can be argued that it would be obvious to perform Sangeeta’s process “under the influence of gravity” in order to avoid the high cost of not using gravity, e.g., “costs of achieving escape velocity from the gravitational field of Earth”, this still provides no reason for particularly performing steps of the process by using gravity. Applicants respectfully submit that performing a process in a gravitational field to avoid the

costs of escaping gravity does not render obvious Applicants' invention where steps of the process are performed *by using gravity*.

Therefore, Applicants respectfully submit that even if it can be argued that it would be obvious to perform Sangeeta's process in a gravitational field to avoid the cost of escaping gravity, this still provides no motivation for performing any particular steps of Sangeeta by using gravity. Further, the Examiner has provided no argument as to why there would be any reason to perform such steps by using gravity. Therefore, Applicants respectfully submit that independent claim 31 is allowable over Sangeeta for at least this additional reason.

Further in this Amendment, Applicants have amended dependent claim 22 to obviate the Examiner's indefiniteness rejection and cancelled the withdrawn claims.

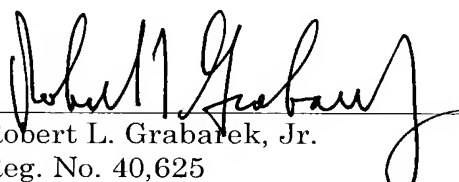
Applicants respectfully submit that the application is now in condition for allowance. If there are any questions regarding this Amendment or this application in general, a telephone call to the undersigned would be appreciated since this should expedite the prosecution of the application for all concerned.

As provided for above, this paper includes a Petition for Extension of Time sufficient to effect a timely response. Please charge any such fee, any deficiency in fees, or credit any overpayments to Deposit Account No. 05-1323 (Docket No. 011235.57149US).

Respectfully submitted,

CROWELL & MORING LLP

Dated: 6/30/10

By 
Robert L. Grabarek, Jr.
Reg. No. 40,625
Tel.: (949) 263-8400 (Pacific Coast)

Intellectual Property Group
P.O. Box 14300
Washington, D.C. 20044-4300
DC12230887.1